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Application Number	10/019,827
Filing Date	5/21/2002
First Named Inventor	Luo, et al
Art Unit	2623
Examiner Name	Dastouri, Mehrdad
Total Number of Pages in This Submission	12
Attorney Docket Number	fraunh01.028

Total Number of Pages in This Submission

## ENCLOSURES (Check all that apply)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or individual name	Gordon E. Nelson #30,093
Signature	
Date	12/22/2005

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fraunh01.028

TM 2625

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(fraunh01.028)

Applicant: Luo, et al.

Paper No.:

Application No: 10/019,827

Group Art Unit: 2625

Filed: 5/21/02

Examiner: Seth, Manav

Title: *Authenticating executable code and executions thereof*

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Commissioner for Patents  
Alexandria, VA 22313-1450

**Response to a non-final Office action under 37 C.F.R. 1.111**

An RCE was filed in the above patent application on May 23, 2005 with a *Submission* in which the claims were amended to better distinguish them from Collberg and Thomborson, *Software watermarking: Models and dynamic embeddings*, which was published in January, 1999 and is presently available from [www.cs.arizona.edu/~collberg/Research/Publications/CollbergThomborson99a/](http://www.cs.arizona.edu/~collberg/Research/Publications/CollbergThomborson99a/) (henceforth “Software watermarking”). Applicants received a first Office action in the RCE mailed 9/29/2005 in which claim 3 was objected to as being dependent from a canceled claim and claim 1 was objected to for its use of “may”. Claims 1-18 were rejected under 35 U.S.C. 103(a) as obvious over Software Watermarking in light of a new reference, U.S. Patent 5,905,800, Moskowitz, et al., *Method and system for digital watermarking*, which has a priority date of Jan. 17, 1996. (Henceforth “Moskowitz”). Claims 19-28 were rejected under 35 U.S.C. 203(a) is obvious over Software Watermarking, Moskowitz, and Collberg, Thomborson, and Low, *A taxonomy of obfuscating transformations*, published July 1997 and presently available from <http://www.cs.arizona.edu/~collberg/Research/Publications/CollbergThomborsonLow97a/>. In the following, Applicants are amending claims 1 and 3 to overcome the objections thereto and are traversing the rejection under 35 U.S.C. 103(a).

**Please amend the claims as follows:**